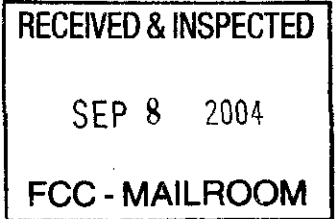


**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**



In the Matter of)	
)	
Implementation of Sections 309(j) and 337)	WT Docket No. 99-87
of the Communications Act of 1934, as Amended)	
)	
Promotion of Spectrum Efficient Technologies on)	RM-9332
Certain Part 90 Frequencies)	

To: The Chief, Wireless Telecommunications Bureau

**COMMENTS OF TAIT NORTH AMERICA, INC. IN SUPPORT OF
PETITION TO DEFER ENFORCEMENT OF SECTION 90.203(J)(5)
OF THE COMMISSION'S RULES**

Tait North America, Inc. (Tait), a manufacturer of high-quality telecommunications products, including mobile and portable radio communication systems for the vhf and uhf land mobile services, hereby respectfully submits its comments in support of the Petition filed by E.F. Johnson Company, Kenwood U.S.A. Corporation, and Motorola, Inc., (the "joint petitioners") and that Petition filed separately by Ritron, Inc. which request that the Commission defer enforcement of section 90.203(j)(5) of the Commission's rules. That Section requires new applications for equipment authorization in the 150-174 MHz ("150 MHz") and 421-512 MHz ("450 MHz") bands (the "refarming bands") submitted on or after January 1, 2005 to specify 6.25 kHz bandwidth capability. Section 90.203(j)(5) was instituted as a means to encourage the transition to narrowband technologies in the refarming bands through the equipment authorization process. The Commission has already determined, however, that this approach has proven to be ineffective at achieving that goal. The Commission should, therefore, eliminate this section as it considers further action relative to licensing

issues. Should the Commission choose to retain this section, given the current state of the private land mobile radio services market and the relevant regulatory environment, enforcement of it would be premature and would place excessive burdens on manufacturers and impose unnecessary costs on licensees, including public safety agencies. Hence, the Commission should defer enforcement of this section's provisions for at least two years.

Tait supports the pending Petitions, and is in agreement with the arguments posed by the petitioning manufacturers. Like them, we believe that enforcement of the January 1, 2005 date, requiring new applications for equipment authorizations in the 150-174 MHz and 421-512 MHz bands to specify 6.25 kHz capability, places undue burden on manufacturers and increases the cost of PLMR equipment to our customers, which include public safety agencies, without concomitant benefit. Tait urges the Commission to at minimum delay implementation of this certification requirement until the 6.25 kHz standards have been completed; until manufacturers have had the opportunity to develop, introduce, test and deploy the equipment based on these standards; and until the marketplace has established the need for this technology.

Right now, the conversion from 25 kHz to 12.5 kHz channel bandwidth technology is proceeding apace, and the public safety agencies and small business entities that utilize private radio systems should not be asked to bear the cost of incorporating the 6.25 kHz technology when it will not be put to use in incumbent systems for at least the next generation of equipment deployment. The cost can not easily be borne by land mobile users, including Public Safety users, whose budgets are non-existent or stretched due to reduced State and municipal fiscal limitations. Nor is there a benefit at this point

from the addition of the 6.25 kHz operating mode. Existing wider bandwidth systems will continue to be in place for many years to come, and the industry is only now in the process of implementing 12.5 kHz bandwidth systems. Portable and mobile radios will become worn-out and will be replaced long before the 12.5 kHz systems are replaced, and the expensive, mandated 6.25 kHz mode will not be utilized at all. This is going to have a very substantial, adverse financial effect on private, commercial and especially public safety land mobile systems throughout the United States, and is wasteful of scarce state and municipal resources, as well as a burden on the budgets and competitiveness of commercial land mobile service providers and private wireless licensees who are small business entities.

Therefore, the foregoing considered, Tait North America, Inc. respectfully requests that the petitions now pending be granted without delay, so that the current uncertainty among licensees and in the marketplace is clarified, and unnecessary expense is avoided.

Respectfully submitted,

TAIT NORTH AMERICA, INC.

By: 

Tom Wineland
President

9/3/04

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